

**A RESOLUTION BY
FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND NINETY ONE THOUSAND EIGHT HUNDRED SIXTY NINE DOLLARS AND SEVENTY CENTS (\$91,869.70) TO SAVANNAH COLLEGE OF ART AND DESIGN FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES TO THE CITY OF ATLANTA; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FDOA 1001 (General Fund) 200301 (Dept. NDP Unallocated –Citywide Employee Expenses) 5730012 (Account Refunds) 1540000 (Function Activity-Human Resources) ; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is authorized to collect business license fees on businesses doing business within the jurisdiction of the City of Atlanta; and

WHEREAS, Savannah College of Art and Design, located at 1600 Peachtree NE, Atlanta, Georgia 30305 is a 501c tax exempt entity and erroneously reported gross receipts to the City of Atlanta Office of Revenue for business licensing tax purposes for the tax years of 2005, 2006, 2007, and 2008 resulting in a refund amount due of ninety one thousand eight-hundred sixty nine dollars and seventy cents (\$91,869.70); and

WHEREAS, Savannah College of Art and Design has requested a refund for overpayment of business license fees; and

WHEREAS, the Office of Revenue has received proper and adequate documentation to verify the occurrences of overpayment by Savannah College of Art and Design; and

WHEREAS, the Office of Revenue has determined that Savannah College of Art and Design is entitled to a refund in the amount of ninety one thousand eight-hundred sixty nine dollars and seventy cents (\$91,869.70) for overpayment of business license fees; and

WHEREAS, all refunds in excess of five thousand dollars (\$5,000.00) require adoption and approval by the City of Atlanta City Council and the Mayor before any funds can be disbursed;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

SECTION 1: The Chief Financial Officer is hereby directed to issue a refund to Savannah College of Art and Design in the amount of ninety one thousand eight-hundred sixty nine dollars and seventy cents (\$91,869.70), which represents the amount of overpayment.

SECTION 2: All funds shall be charged to and paid from Fund, Department Organization Account Number 1001 (General Fund) 20031 (Dept NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 1540000 (Function Activity Human Resources) in the mount of ninety one thousand eight-hundred sixty nine dollars and seventy cents (491, 869.70).

SECTION 3: That all resolutions and parts of resolutions in conflict herewith and the same are hereby repealed.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance Executive Committee

Caption: A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND NINETY ONE THOUSAND EIGHT HUNDRED SIXTY NINE DOLLARS AND SEVENTY CENTS (\$91,869.70) TO SAVANNAH COLLEGE OF ART FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES TO THE CITY OF ATLANTA

Council Meeting Date: February 1, 2010

Requesting Dept.: Finance

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to refund overpayment of Business License Fees .

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

Savannah College of Art and Design , located at 1600 Peachtree NE , Atlanta, Georgia 30305 a 501 c tax exempt entity erroneously reported gross receipts to the City of Atlanta Office of Revenue for business licenseing tax purposes for the tax years of 2005, 2006, 2007 & 2008 resulting in a refund amount due of \$91,869.70

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**

SCAD-ACCT# 109002 lqb

91,609.70

Total Amounts Remitted

Grand Total Due		\$	(0.00)
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Grand Total Due

Grand Total Remitted	\$91,869.70
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Amount to be refunded - \$91,869.70

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: (404) 330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/Executive Committee

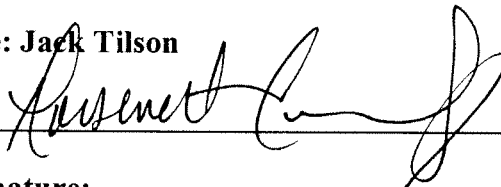
Chief of Staff Deadline: January 12, 2010

Anticipated Committee Meeting Date(s): Jan. 26-27, 2010

Anticipated Full Council Date: Feb. 1, 2010

Legislative Counsel's Signature: Jack Tilson

Commissioner Signature: _____



Chief Procurement Officer Signature: _____


CAPTION

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND NINETY ONE THOUSAND EIGHT HUNDRED SIXTY NINE DOLLARS AND SEVENTY CENTS (\$91,869.70) TO SAVANNAH COLLEGE OF ART AND DESIGN FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES TO THE CITY OF ATLANTA; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FDOA 1001 (General Fund) 200301 (Dept. NDP Unallocated –Citywide Employee Expenses) 5730012 (Account Refunds) 1540000 (Function Activity-Human Resources) ; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 1-13-10  Reviewed by: _____
(date) (date)

Submitted to Council: _____
(date)